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56-238

MEMORANDUM FOR: General Counsel
Comptroller
Director of Communications
Director of Logistics
Director of Personnel
Director of Security
Director of Training
Chief, Audit Staff
Chief, Commercial Staff
Chief, Management Staff
Chief, Medical Staff
Special Support Assistant to the DD/S
Chief, Project Administrative Planning Staff

SUBJECT : Procedure for Processing Regulatory Material

1. I am convinced that we must take immediate steps to tighten up our checks and controls over the preparation, coordination, and issuance of regulatory material. Recently there have been instances where a proposed regulation has been withdrawn - evidently because it developed there was no need for the regulation in the first place. There have been other instances where, on the basis of comments received, a proposed issuance was revised to such an extent as to invalidate the original proposal. Furthermore, material is being prepared in the form of proposed regulations which should be sent out in handbook form.

2. As a result of all this we have been subjected to quite a lot of justifiable criticism. I recognize that regulations will always be a source of criticism, some of it justified and some of it unjustified. I also recognize that the problem of getting regulations out is time consuming and fraught with many obstacles. However, the fact that it is a complicated problem makes it all the more important that our control system must be a sound and workable one. With this in mind, the following procedures are prescribed for the processing of regulatory material in the Support Services:

a. The Assistant Deputy Director (Support) is designated as the initial screening point for all proposed regulatory material.

b. When any office or staff desires to issue a new regulation, handbook, or notice, or revise an existing one, a draft of the proposed issuance will be forwarded to the Assistant Deputy Director (Support), accompanied by a memorandum signed by the Office Head or Staff Chief setting forth the following:

CONFIDENTIAL

(1) Description:

A description of the proposed issuance and an indication as to what it is designed to accomplish. In the case of a revision, clearly identify the changes and the reasons therefor.

(2) Origin:

A statement giving the origin of the proposed issuance - whether at the initiative of the originating office or at the request of some other Agency element.

(3) Justification:

A brief statement which sets forth clearly the need for the proposed regulation. If the submission of data or reports is required, indicate how and for what purpose the information will be used.

(4) Scope of Interest:

An indication as to whether the proposed issuance is of general interest and application throughout the Agency or limited to a particular group of employees or only a few organizational units.

c. If, after review of the draft and the supporting memorandum, a determination is made that the proposed issuance is necessary and in generally satisfactory form, the AD/S will authorize appropriate coordination by the originating office within the Support Services.

d. After obtaining the concurrences of interested offices in the Support Services, the proposed issuance will then be submitted to the AD/S for approval for the Regulations Control Staff to coordinate with DD/P, DD/I, and the Inspector General. If concurrences are received without change or comment, the Regulations Control Staff will prepare the publication for final approval and authentication.

e. If non-concurrences or comments are received from DD/P, DD/I, or the Inspector General, which appear to require revision and re-coordination of the proposed issuance, such comments will be consolidated by the Regulations Control Staff and forwarded to the AD/S for review and discussion with the originating and concurring offices. If it is determined that the issuance needs to be revised and re-coordinated, the originating office will prepare a revised draft incorporating the required changes and re-submit it to the Assistant Deputy Director (Support) for approval for re-coordination.

. If the revised draft is approved for re-coordination by the ADD/S, it will then be submitted to the Regulations Control Staff for final concurrence, approval and authentication as in sub-paragraph 1 above.

2. The establishment of this procedure is intended in no way to discourage the issuance of needed regulatory material. I believe that by adhering to this procedure we will be able not only to reduce the amount of time involved in getting issuances published, but, more important, insure that issuances proposed for publication are indeed necessary.

L. K. WHITE
Deputy Director
(Support)

CONCUR:

_____ _____
General Counsel Date

_____ _____
Chief, Management Staff Date

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